

I believe this bill is an important step to help address the rising threat of domestic terrorism throughout the country.

I am proud to cosponsor this bipartisan bill, and I am happy to see my Democratic colleagues support it on the floor today.

Mr. OSSOFF. Mr. President, today, I will vote to open debate on H.R. 350, the Domestic Terrorism Prevention Act.

Should the Senate so proceed, however, I will insist on a thorough and judicious debate and on a process that empowers Senators to offer and vote on amendments.

Before I determine whether to support passage of this legislation, I will weigh that debate, I will consider expert analysis and input from executive agencies, and I will assess the merits and effects of amendments that may be considered and adopted.

This legislative process must ensure that Federal law enforcement is transparent, accountable, and apolitical.

The threat of domestic terrorism is real. The United States must continue to confront it. We have sworn an oath to defend the Constitution from all enemies foreign and domestic. We must do so in a manner informed by objective threat assessments, consistent with our Constitution, and attentive to civil liberties.

Any time we establish or codify Federal law enforcement offices tasked with investigating and prosecuting crimes committed by Americans or collecting and analyzing intelligence related to American citizens, we must ensure safeguards are sufficiently robust to protect civil rights and civil liberties. Consideration of such legislation may present us with an opportunity to assess what Congress got right and what Congress got wrong in the aftermath of 9/11, when the Department of Homeland Security was established and Federal counterterrorism efforts and authorities grew considerably, and to calibrate policy accordingly.

In short, I vote today to open debate, but I do not yet commit to voting for passage of this legislation while the process of review, debate, and potential amendment continues.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 371, H.R. 350, a bill to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism.

Charles E. Schumer, Tim Kaine, Tammy Duckworth, Richard Blumenthal, Ben

Ray Luján, Richard J. Durbin, Elizabeth Warren, Christopher Murphy, Cory A. Booker, Jeanne Shaheen, Robert P. Casey, Jr., Jack Reed, Benjamin L. Cardin, Gary C. Peters, Tina Smith, Brian Schatz, Debbie Stabenow.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 350, a bill to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY) and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from North Dakota (Mr. CRAMER), the Senator from Texas (Mr. CRUZ), and the Senator from Alaska (Ms. MURKOWSKI).

The yeas and nays resulted—yeas 47, nays 47, as follows:

#### [Rollcall Vote No. 210 Leg.]

##### YEAS—47

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Luján	Stabenow
Coons	Manchin	Tester
Cortez Masto	Markey	Warner
Duckworth	Menendez	Warnock
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Osoff	Wyden
Hassan	Padilla	

##### NAYS—47

Barrasso	Hagerty	Romney
Blunt	Hawley	Rounds
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Schumer
Capito	Johnson	Scott (FL)
Cassidy	Kennedy	Scott (SC)
Collins	Lankford	Shelby
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Crapo	Marshall	Tillis
Daines	McConnell	Toomey
Ernst	Moran	Tuberville
Fischer	Paul	Wicker
Graham	Portman	Young
Grassley	Risch	

##### NOT VOTING—6

Blackburn	Cruz	Murkowski
Cramer	Merkley	Van Hollen

(Mr. COONS assumed the Chair.)

The PRESIDING OFFICER (Mr. SCHATZ). On this vote, the yeas are 47, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

#### MOTION TO RECONSIDER

Mr. SCHUMER. Mr. President, now let me explain. I entered my “no” vote so we can bring this up again and gain more support. So I enter a motion to reconsider the failed cloture vote.

The PRESIDING OFFICER. The motion is entered.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE DEPARTMENT OF JUSTICE AND THE DEPARTMENT OF HOMELAND SECURITY RELATING TO “PROCEDURES FOR CREDIBLE FEAR SCREENING AND CONSIDERATION OF ASYLUM, WITHHOLDING OF REMOVAL, AND CAT PROTECTION CLAIMS BY ASYLUM OFFICERS”

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S.J. Res. 46, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 46) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Justice and the Department of Homeland Security relating to “Procedures for Credible Fear Screening and Consideration of Asylum, Withholding of Removal, and CAT Protection Claims by Asylum Officers”.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. BROWN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from North Dakota (Mr. CRAMER), the Senator from Texas (Mr. CRUZ), and the Senator from Alaska (Ms. MURKOWSKI).

The result was announced—yeas 46, nays 48, as follows:

#### [Rollcall Vote No. 211 Leg.]

##### YEAS—46

Barrasso	Cotton	Hoeven
Blunt	Crapo	Hyde-Smith
Boozman	Daines	Inhofe
Braun	Ernst	Johnson
Burr	Fischer	Kennedy
Capito	Graham	Lankford
Cassidy	Grassley	Lee
Collins	Hagerty	Lummis
Cornyn	Hawley	Manchin

Marshall	Rubio	Tillis
Moran	Sasse	Toomey
Paul	Scott (FL)	Tuberville
Portman	Scott (SC)	Wicker
Risch	Shelby	Young
Romney	Sullivan	
Rounds	Thune	

## NAYS—48

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Coons	Markey	Stabenow
Cortez Masto	McConnell	Tester
Duckworth	Menendez	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden

## NOT VOTING—6

Blackburn	Cruz	Murkowski
Cramer	Merkley	Van Hollen

The joint resolution (S.J. Res. 46) was rejected.

The PRESIDING OFFICER (Mr. KING). The Republican leader.

## MOTION TO RECONSIDER

Mr. MCCONNELL. Mr. President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

The Senator from New Jersey.

## UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. MENENDEZ. Mr. President, I am rising to ask unanimous consent to consider the nomination of Leopoldo Martinez. This body should confirm him today to serve as Executive Director of the Inter-American Development Bank.

From the world's highest per capita COVID infection and death rates to the largest economic contraction anywhere in the world, Latin America and the Caribbean are still struggling to recover from devastating waves of the pandemic.

The region also faces historic refugee and migration movements that stretch across the continent. And added to this, many of these nations must confront longstanding poverty and inequality as well as climate change and threats to the environment.

Given the significant economic social and development challenges in Latin America and the Caribbean, we urgently need Senate-confirmed leadership at our hemisphere's most important multilateral development bank. The Inter-American Development Bank is essential to addressing these issues.

It is critical that we have strong U.S. leadership at the Bank. Mr. Martinez brings decades of experience in the public and private sector, as well as academia, and he will provide exactly that.

He has advised Fortune 500 companies and private equity funds. He has helped international business and non-governmental organizations, and he has committed to work with the Senate to support a much needed capital increase for the Bank, which we approved as part of the U.S. Innovation and Competition Act last year.

This nomination has been pending for 9 months—9 months. It is time for the Senate to act, especially when we have China—and I know my colleagues on the other side of the aisle have spent a lot of time talking about China and whether we were strong enough in meeting the China threat. Well, China is all over the Western Hemisphere making huge investments.

I talked to one foreign leader this past week from the hemisphere. He said to me: Listen, what is the United States offering? Because I am being offered \$800 million, 1 percent, over 30 years. I am not taking it, but at some point, we need to have engagement in the hemisphere economically.

That is what the Inter-American Development Bank can do without costing U.S. taxpayers money. But for that, you need leadership that is focused on getting the IDB to build the partnerships and the programs that can help us have a presence to counter China in the first place and also to promote prosperity, security, and stability.

And for all of those of my colleagues who are concerned about the southern border, well, let's get an organization that can help create greater prosperity and stability in the hemisphere so people won't be fleeing from the circumstances.

I don't understand why this has taken 9 months, but that is what draws me to come to the floor. So I ask unanimous consent that the Senate Foreign Relations Committee be discharged and the Senate proceed to the following nomination: PN1028, Leopoldo Martinez Nucete, to be United States Executive Director of the Inter-American Development Bank for a term of three years, vice Eliot Pedrosa; that the Senate vote on the nomination with no intervening action or debate; that the motion to reconsider be considered made and laid upon the table; that no further motions be made in order to the nomination; and that any related statements be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. MARSHALL. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. This nominee received a tie vote in the Senate Foreign Relations Committee, meaning that he failed to be reported favorably to the floor. This tie vote indicates that the Senate Foreign Relations Committee Republicans have significant concerns with this nominee; therefore, he should be discharged per the process laid out in the Senate power-sharing agreement for this Congress, not passed by unanimous consent. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MENENDEZ. Mr. President, I am going to be honest here. This isn't really about Mr. Martinez, his experience, his views. It is just another thinly

veiled attempt to block another of the President's nominees and to do so at a time in which China is eating our lunch.

So the next time one of my colleagues gets up and talks about China, I am going to remind them of the position that they have taken to block one of the critical nominees who could help us meet that challenge in the Western Hemisphere.

Mr. President, let me turn to another nominee who has been pending before the Senate, who did pass the committee, by the way, favorably—not on a tie vote but favorably. I am going to, in a moment, ask unanimous consent to confirm Dr. Monde Muyangwa to serve as Assistant Administrator for USAID's Africa Bureau. This body should confirm her without delay.

The promotion of democracy, a key goal for USAID, is threatened throughout Africa. In just the past 2 years, there have been coups in Sudan, Chad, Guinea, Burkina Faso, and two in Mali.

Authoritarians across Africa have new tactics to subvert democratic movements. They have modern tools to silence dissenting voices. They deploy disinformation campaigns and sophisticated surveillance technology coming from China to stay in power. And from Mali to the Central African Republic, dictators are turning to Russian mercenaries for support.

Democracy advocates, human rights offenders, and civil society leaders across the continent are courageously working to realize their aspirations and goals. They need a reliable partner at USAID to keep the struggle for democracy in their countries, and that is why we have to advance this nominee today.

Dr. Muyangwa is eminently qualified to lead USAID's Africa Bureau. She brings extensive professional and academic experience in Africa. She is a Zambian-born immigrant to the United States, where she has held senior positions at the Wilson Center, the Africa Center for Strategic Studies, and the National Summit on Africa. She was a Rhodes Scholar, a Wingate Scholar for her scholarship at Oxford, the valedictorian for her graduating class at the University of Zambia, and she holds a doctorate in international relations from the University of Oxford. Do you think she is well qualified? In short, her qualifications are exceptional.

Finally, let me say that while Africa faces many challenges, it is also a land of tremendous opportunity. But here, again, China is all over Africa in precious minerals and other precious materials, in subverting nascent democracies by their debt-trap diplomacy. And where are we? Absent, because we don't even have somebody who can focus on the hemisphere—a hemisphere that we should have gotten a lot more votes at the United Nations when we were pursuing the sanctions against Russia. But guess what. We don't have anybody talking to these countries. So I see no reason, with somebody with

such a stellar background, to ultimately be objected to.

So I will I ask unanimous consent that the Senate consider the following nomination: Calendar No. 815, Monde Muyangwa, to be an Assistant Administrator of the U.S. Agency for International Development; that the Senate vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; and that any statements related to the nomination be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. MARSHALL. Mr. President.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Reserving the right to object, USAID awarded a \$200 million grant for a 10-year viral emergence early warning project known as PREDICT.

We have uncovered evidence of possible embezzlement, possible money laundering, and insider threats, as well as other concerns related to the PREDICT and other USAID grant awards.

PREDICT was led by a consortium spearheaded by UC Davis and EcoHealth Alliance, which funneled taxpayer dollars to the Wuhan Institute of Virology to conduct risky research on potential pandemic pathogens, including bat coronavirus research.

USAID and NIH both awarded multi-million dollar grants to EcoHealth Alliance during the same 5-year period leading up to and immediately preceding the COVID-19 outbreak.

EcoHealth is unable to produce to NIH proof of its research, such as lab notebooks and virus samples, so we are simply asking USAID for proof of the EcoHealth research they funded. We requested records from USAID that grant recipients are legally required to maintain. Our requests are, indeed, fact-based.

At this point, we believe either the USAID staff is withholding the records from Congress or they have failed to access them through the UC Davis and EcoHealth Alliance. Either option is unacceptable. As such, I object to the unanimous consent motion but look forward to working with the chairman to address these issues.

The PRESIDING OFFICER. Objection is heard.

Mr. MENENDEZ. Mr. President, through the Chair, would my colleague say that—have you not been provided three rounds of documents that have been requested?

Mr. MARSHALL. Mr. President.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Unfortunately, the documents were not what we asked for. They are incomplete. They don't give us what we are looking for. But we would welcome the opportunity to sit down with the chairman and try to address—

Mr. MENENDEZ. Through the Presiding Officer, has my colleague not

been offered a briefing by USAID to try to answer the rest of his questions?

This is an extraordinary amount of information being offered for someone who is not even a member of the Foreign Relations Committee. But, nonetheless, in order to accommodate him, we want to get to a point that he feels comfortable to do so. Have you not been offered a briefing, which you have not yet accepted?

Mr. MARSHALL. Not that I am aware of.

Mr. MENENDEZ. Well, my understanding is that there has been, Mr. President, an offer of a briefing made to the Senator.

And, by the way, this has nothing to do with Dr. Muyangwa. She has nothing to do with any of this. She is nominated to be the Assistant Administrator for Africa, nothing to do with China, nothing to do with Wuhan, nothing to do with anything else.

I would urge my colleague, if you have all this information about illicit activities, please bring it forward. The committee would like to consider it. But I haven't seen any of it. It is time to put up or shut up.

I yield the floor.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Marcia Stephens Bloom Bernicat, of New Jersey, a Career Member of the Senior Foreign Service, Class of the Minister-Counselor, to be Director General of the Foreign Service.

The PRESIDING OFFICER. The Senator from New Jersey.

The PRESIDING OFFICER. The Senator from South Dakota.

#### ROBB ELEMENTARY SCHOOL SHOOTING

Mr. THUNE. Mr. President, before I begin, I want to express my sorrow at the terrible shooting in Texas on Tuesday that claimed the lives of 2 teachers and 19 schoolchildren.

Like a lot of Americans, I cannot imagine the anguish these children's parents are facing right now as they grieve for sons and daughters whom they will never again drive to school or welcome home at the end of the day.

I pray that the Lord will be with them in their suffering and that they will receive the comfort and strength that they need.

My prayers are with the entire Uvalde community—the families of those killed, the injured, the teachers, and students who suffered such terror, the medical and law enforcement personnel who responded, and all those reeling from this terrible attack.

#### SOUTH DAKOTA

Mr. President, this past weekend, I headed to Murdo, SD, the small town of around 500 people where I grew up.

Needless to say, any trip to Murdo brings back a lot of memories. First and foremost are those memories of my parents Pat and Harold Thune and of growing up with my three brothers and sister.

We were lucky kids to have my parents. My mom was a wonderful, loving, eternally optimistic mother who spent most of my growing up years as our school librarian. She was responsible for making sure that we Thune kids got some culture, whether we wanted it or not. She was the one who made sure we got an introduction to music and learned how to play the piano. With her encouragement, I even joined the swing choir—although I will spare you, Mr. President, from any recitals.

In the summer, she would make us come inside for an hour every day to read. I didn't always want to come inside on those beautiful summer days. At the time, I would have much preferred to keep shooting hoops with the basket my dad had attached to a pole in our backyard. But today I am grateful for every minute that she made us spend with books.

My dad, he was our hero—a division I basketball player, a World War II combat pilot. He was a teacher at my high school. And a coach. And the athletic director. Oh, and also the bus driver.

So between him and my mom as the librarian, we Thune kids were practically never away from our parents' watchful eyes. I am so grateful to have had my dad's coaching in sports and in life. My dad taught us, as players, to play as a team. He didn't like ball hogs or people who were in the game for the personal glory. He believed your job as a member of a team was to make the people around you better. If somebody else was in a better position to take the shot, you always made the extra pass. You didn't try to pad your own statistics. You played for the good of the team.

It is an attitude I have tried to carry with me throughout my life. My parents gave us Thune kids a strong set of values and an inheritance of faith. In good times and bad, faith was their anchor and the Holy Scriptures, their roadmap. And I am grateful that they taught us who to turn to in times of trouble.

Mr. President, being in Murdo reminded me of my parents, as it always does. It also made me reflect on just how lucky I was to grow up in a small town—and small-town South Dakota in particular. It is true that growing up in a small town meant that my parents had heard all about any of the Thune kids' misdemeanors before we even made it home.

But even with that little drawback, small-town life was wonderful. In Murdo, you know everyone, and everyone knows you. And that gave us a sense of community and belonging that we carry to this day. Growing up in Murdo also taught us just how much we are all connected.

Mr. President, South Dakotans are independent people, but we also rely on